

addressed at all. The administration hasn't decided if it will use the military commissions process that Congress passed on a bipartisan basis at the suggestion of the Supreme Court.

Finally, the administration hasn't said how it plans to deal with the problem of terrorists we release returning to the battlefield even, even as DOD has confirmed that 18 of the prisoners we released have returned to terrorism and that at least 44 are suspected as having done so.

The American people want to keep the terrorists at Guantanamo, out of their neighborhoods and off the battlefield. At this point, the only way we can assure them that neither one of these things will occur is for the administration to keep this secure facility open until it develops a sensible plan for the Congress to evaluate. We remain a nation at war with ground forces in Iraq and Afghanistan. Despite disagreements over the best way to combat international terrorism, the truth remains that we haven't been attacked at home since 9/11. That is a record we wish to continue. Maintaining a safe and secure way to detain terrorists is a critical part of protecting the American people.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each.

The Senator from Missouri.

#### IN MEMORY OF JACK KEMP

Mr. BOND. Mr. President, I come to the floor to celebrate the life of a great American, Jack Kemp.

Jack Kemp was many things to many different people. Probably everyone knows the basics about Jack. He was a football player, a Member of Congress, a Cabinet Secretary, and a Vice Presidential nominee. Perhaps he was best known as the coauthor of the Kemp-Roth tax cuts that were the basis of the Reagan economic plan that brought progress out of prosperity and stagflation.

Today's Wall Street Journal said about Kemp:

He was among the most important Congressmen in U.S. history. He wasn't powerful because he held a mighty post, and he never served in the House majority. He helped to transform the Republican Party though he was never its Presidential standard-bearer. His influence sprang from the power of his ideas, and from the sincerity and enthusiasm with which he spread them.

To millions of Americans, he was much more than a football player, Con-

gressman, and candidate. For minorities who suffered from discrimination, Jack was an olive branch from a party that too often ignored them. As a quarterback and as leader of the football players union, he championed the cause of African-American ball players and fought against segregation. For the poor struggling to rise above their circumstances in the inner city, Jack was hope for a better future. He proposed empowering tenets in public housing, offering vouchers for housing and education. For hard-working families who wanted more freedom from Government, Jack was a crusader for their cause. He believed everyone, especially those in inner cities, should have an opportunity to participate in our economy. His idea of enterprise zones has expanded and developed into many different areas of providing opportunities for those caught in circumstances in which they would otherwise have none.

Jack was all these things and more. Today Jack serves as a role model, I believe, for the future of our party. Known as the happy warrior, Jack always focused on the positive.

Don't get me wrong, Jack never shied away from a fight, and I know that in a couple instances. He called out his fellow party members for protectionism and anti-immigration efforts, believing they were wrong for this country and for the opportunities we seek. No matter how big the adversary, whether it was a linebacker or a powerful committee chair, Jack was a fearless fighter. But as a happy warrior, Jack understood the power of the positive.

Today's Washington Post carried an article by Michael Gershon in which he said:

Opportunity, [Kemp] argued, is the most important measure of economic justice; capitalism is perfected by the broadest possible distribution of capital; and economic freedom and political freedom are inseparable.

Jack was well known for saying:

The best way to oppose a bad idea is to replace it with a good one.

You see, Jack was more about solutions than party labels. It is that pragmatism and willingness to work across the aisle to solve problems that all of us would be well advised to embrace today. As a self-described bleeding heart conservative, there are so many examples of Jack Kemp doing that. Jack worked across the aisle on some of the most important issues of our time, from civil rights to safe housing for all families. It was Jack who, along with the esteemed Dr. Benjamin Hooks, brought to the national stage the scourge of lead paint poisoning which was afflicting children and families in many of our cities, particularly older ones. Exposure to lead, particularly by young children, was causing learning disabilities, behavioral problems, slowing growth, and possibly causing seizures, coma and, in some serious instances, death.

Jack Kemp and Dr. Hooks gave this avoidable tragedy a face and a very

powerful voice. Thanks to their advocacy, Senator MIKULSKI and I launched a \$50 million initiative to remove exposed paint in targeted neighborhoods. What started as an idea and a mission is now a more than \$300 million program that has helped countless children and their families. But this is just one example of the ideas that Jack, with his tireless advocacy, turned into action to improve the lives of the most vulnerable and needy in our country. Jack's extraordinary life has made a lasting impact on the generations of conservatives he inspired, on the Republican Party, on the national debate, but, most importantly, on the countless lives and communities which have benefited from his powerful ideas being put into action.

To Joanne and the rest of the Kemp family, Linda and my thoughts and prayers are with you. We shall always remember and treasure the memory of Jack Kemp and the great contributions he made.

I ask unanimous consent to print in the RECORD a copy of the Wall Street Journal piece entitled "Capitalist for the Common Man" and the Washington Post column by Michael Gershon entitled "Head and Heart."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post]

HEAD AND HEART: REMEMBERING JACK KEMP  
(By Michael Gerson)

Some deaths make the world feel old, like they have stolen a part of youth itself. Normally this applies to those who die in their prime. But Jack Kemp's prime was supernaturally long. It is difficult to imagine his bounding arrivals, his shaken-gravel voice, his juice and joy, all stilled and ended. But there it is.

Generations of young conservatives—most of us no longer young—were drawn into Jack's orbit (I worked for him briefly in the 1990s as a speech-writer). We were attracted, in one way or another, to Jack's "bleeding-heart conservatism," with its mix of economic opportunity, social inclusion and ebullience. We came to love Jack's gracious wife, Joanne, and his accomplished children. We hoped and expected that Jack would become president of the United States. In the end, he lacked the consuming focus that quest requires. But in his passion for ideas—and in the affection he inspired—Jack was the most influential modern Republican who never became president.

Jack believed that ideas—not interests or political deals or public passions—rule the world. In this sense, he strangely resembled idealists such as Hegel or Marx, who discerned hidden, powerful currents beneath the surface of history. For Jack, that force was liberal democratic values" (small "l" and small "d," as he invariably added). Economic freedom, in his view, provides the poor with a hope beyond the dreams of socialism or large "L" Liberalism—the hope of becoming wealthy themselves. Opportunity, he argued, is the most important measure of economic justice; capitalism is perfected by the broadest possible distribution of capital; and economic freedom and political freedom are inseparable.

This belief in the power of ideas removed all rancor from Jack's political approach. Everyone fell into one of two categories: convert or potential convert. He seemed to believe that if he had just an hour—better yet,

three hours—with anyone, he could change their mind by the force of his ideas. So he gave nearly everyone the benefit of the doubt. He assumed goodwill on the part of his opponents. And he became the rarest kind of public figure—a conviction politician who was also a peacemaker.

The direction of Jack's career was set by two events. In the 1960s, he saw the American civil rights movement from the perspective of sports. As a quarterback and leader of the American Football League players union, he stood up for African American teammates victimized by segregation on their travels. The experience left a deeply rooted impatience with bigotry.

For this reason, Jack criticized the failures of urban liberalism—the high-rise horrors of the projects, the economic desolation of the inner city, the schools that betray minority students without consequence. He became the nation's leading advocate for educational vouchers, housing vouchers and enterprise zones—applications of his philosophy of freedom to the needs of the poor. But Jack was nothing if not consistent. The same impulse led him to assert that the party of Lincoln would never be healthy or complete without the support of African Americans—and to oppose outbreaks of anti-immigrant sentiment among Republicans, often at political cost to himself.

The second event that shaped Jack's career was a stroke of intellectual lightning in the 1970s that became known as supply-side economics. Jack was an amateur economist of broad reading, convinced he knew exactly the way the world works. National wealth depends on productivity, which depends on low tax rates that reward work, enterprise and investment. So as a backbench congressman, he proposed 30 percent across-the-board tax reductions, persuaded Ronald Reagan to embrace them, and helped spur decades of prosperity. Some dispute this version of economic history. Yet few would recommend a return to the 70 percent tax rates and stagflation of America before Jack Kemp.

Jack's ideals and priorities never really changed over the years, as a congressman, as a Cabinet secretary, as a vice presidential nominee. This is a contrast to many Republicans, and former Republicans, who will leave no mark beyond the vague, unpleasant memory of their opportunism. Even in Jack's absence, we know precisely what he would say: You can't divide wealth you don't create. Don't punish the rich, enable everyone to become rich. Value the dreams and contributions of immigrants. Be a happy warrior, not an angry one. And let me tell you about the gold standard.

But as much as we need it, we won't hear that voice again. It left a massive silence when the bleeding heart stopped.

[From the Wall Street Journal]

#### CAPITALIST FOR THE COMMON MAN

The scene was a low-rent Manhattan auditorium, circa 1978. A young Congressman from Buffalo with a raspy voice and rapid delivery was debating a liberal from central casting about the necessity of tax-cutting to stimulate economic growth and spread prosperity. Here, we thought, was something exciting: A politician who could speak about the benefits of capitalism for the average American. The crowd was mainly hostile, but then Jack Kemp never did confine his free-market evangelizing only to the believers.

Kemp, who died Saturday at age 73, was among the most important Congressmen in U.S. history. He wasn't powerful because he held a mighty post, and he never served in the House majority. He helped to transform the Republican Party though he was never

its Presidential standard bearer. His influence sprang from the power of his ideas, and from the sincerity and enthusiasm with which he spread them.

A celebrated pro quarterback, Kemp was an unlikely intellectual. Yet amid the economic troubles of the 1970s, he immersed himself in the details of fiscal and monetary policy. Along with a handful of others, many of whom wrote for this newspaper, Kemp became a champion for the classical economic ideas that challenged the Keynesian orthodoxy of that time. He also had to mount an insurgency inside the Republican Party, which for decades had been dominated by budget-balancers who saw their fate mainly as moderating and paying for liberal excess.

Along with Senator William Roth of Delaware, Kemp proposed a 30% across-the-board tax cut. Though the Democrats who ran Congress, combined with Old Guard Republicans to defeat it during the Carter Presidency, a GOP candidate by the name of Ronald Reagan liked what he saw. Reagan largely adopted Kemp-Roth as his own, campaigned on it in 1980; and the proposal eventually became the basis for the 25% income-tax cuts that finally took effect in 1983 and became the most successful domestic policy achievement of the modern era. The Kemp-Reagan policy mix of lower taxes to lift incentives, sound money to break inflation, and regulatory relief to unleash entrepreneurs became the foundation for the prosperity of the 1980s and 1990s.

... and could speak to the concerns of union members. His athletic career exposed him to men of different races and creeds, and he developed the conviction that economic liberty was even more vital for the poorest Americans than for the affluent.

Importantly, however, and unlike many of today's Republicans, Kemp's populism was inclusive. Across his career, he ventured into neighborhoods where Republicans too rarely tread. His policy innovations included enterprise zones; public-housing vouchers and a free-trade pact for all of North America. Also like Reagan, he believed that immigrants made America stronger and more vibrant. His religious faith was strong but never censorious. Kemp's loquacious optimism was contagious, even if he did sometimes get carried away.

One historic imponderable is what might have happened if Reagan had chosen Kemp as his running mate in 1980. The idea had support among the Reagan brain trust, but the Gipper went with the allegedly safer pick of George H.W. Bush as a way to unite the GOP. Mr. Bush had famously described Kemp-Roth as "voodoo economics," but Reagan's success made Mr. Bush the front-runner when he defeated Kemp for the GOP Presidential nod in 1988. Mr. Bush went on to repudiate Reaganomics with his tax increase of 1990 and made himself a one-term President. He also passed over Kemp as a running mate in 1988, and by the time Bob Dole selected Kemp in 1996 as his vice presidential nominee, the GOP ticket was already doomed.

Kemp's ideas and legacy continue to be relevant for today's Republicans, even if few of them seem to recognize it. The financial meltdown and recession have given President Obama a chance to revive a policy mix of higher spending and taxes, intrusive regulation and easy money. If those policies don't result in a sustainable expansion—and history argues that they won't—then Americans will again be looking for other ideas.

Republicans will need to be ready with Kempian proposals to address middle-class economic anxieties and revive broadly shared prosperity. The GOP also needs a rhetoric and a demeanor that invite all Americans to its cause. The Kemp-Reagan Message was rooted in ideas but it also ap-

pealed broadly across ages and incomes because of. . .

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I join my colleagues in mourning the passing of Jack Kemp last Saturday.

Jack was ever the quarterback, leading, inspiring, and winning frequently, it seemed, by sheer optimism and will. In my mind, Jack had three core political beliefs which he consistently promoted throughout his career. First, he was a pure free market enthusiast. He believed in Adam Smith's invisible hand and worked tirelessly to convince everyone else about the benefits of supply-side economics.

His many legislative achievements promoting growth through lower taxes and less regulation are a testament to his indefatigable efforts. Jack understood that free market theory also encompassed support for what he called "the least of these," a reference to the subjects of "The Good Shepherd." He was the original compassionate conservative, making sure always to provide a helping hand to the less fortunate.

His work to expand housing opportunity as HUD Secretary and outreach to minorities and the poor resulted in a political appeal far beyond his conservative roots. Finally, Jack was a passionate advocate for human rights, freedom, democracy, and the military strength to support America's national security requirements. Peace through strength was Jack's mantra.

Three weeks ago, I visited with Natan Sharansky in Israel. Jack had introduced me to Sharansky more than 20 years ago, after he had gotten out of the Soviet gulag. I told him Jack was ill. He asked me to convey his best wishes. When I left a message on Jack's phone, I asked his office to confirm he had gotten it. A couple days later, Jack himself called back, clearly touched by the concern of an old friend half the world away. I will always treasure this last conversation with Jack. He was still fighting.

We will miss Jack: gregarious, indomitable, earnest, always positive. He loved being with his family. He was very proud of his children. He relied on and was supported by his extraordinarily gracious wife of 51 years, Joanne.

Similar to sports, politics can be a great leveler, even of those who seem larger than life. But whether he won or lost, Jack always kept the faith. And so it was in the last battle of his life.

Jack Kemp, No. 15, thank you for your service, your leadership, and friendship. May God bless you and your family.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. KERRY and Mr. LUGAR pertaining to the introduction of S. 962 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

#### ORDER OF PROCEDURE

Mr. NELSON of Florida. Mr. President, I understand that morning business will run out in 6 minutes. I ask unanimous consent that I may speak in morning business for 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### TRIBUTE TO JACK KEMP

Mr. NELSON of Florida. Mr. President, America lost a good friend when former Congressman Jack Kemp passed away over the weekend at the age of 73. He is survived by his wife Joanne, a marriage of 50 years, his 4 children, and 17 grandchildren.

Jack and Joanne have been personal friends of Grace and mine over the years. I will never forget one time; Jack was already a great celebrity when I came into the House of Representatives 30 years ago, in 1979, and on one of the tax bills I actually had the temerity to take him on on the floor. I will never forget the chairman of the Budget Committee walking up to me and saying: You better watch out because he is a fierce debater. Indeed, he was. He was passionate about what he believed in, and he was a strong advocate of what he believed in. That, of course, is a quality all of us admire. It was one of the attributes that drew me to Jack, he reciprocated, and we had a friendship over these last 30 years.

Clearly, the record has been set. Jack, of course, was the star quarterback for the Buffalo Bills. Before that, he was with the San Diego Chargers, and he said that his career in football prepared him well for a career in politics because he had been booed, cheered, cut, sold, traded, and hung in effigy in football. Sooner or later, those of us in politics will experience all of those. And how true a statement that is.

He talked about his career in politics. Jack represented western New York in the House for 9 terms. He ran for President. He served as the Secretary of HUD. He ran for Vice President. It is a great loss.

The one thing I want to call to the attention of the Senate is the letter he wrote to his grandchildren upon the election of Barack Obama as President. This letter was posted online on Jack's company Web site. I want you to listen to what he wrote:

... just imagine that in the face of all these indignities and deprivations, Dr. Mar-

tin Luther King could say 44 years ago, "I have an abiding faith in America and an audacious faith in mankind."

Jack continues to write this letter to his grandchildren:

He described his vision for America, even as he and his people were being denied their God-given human rights guaranteed under our Constitution.

You see, real leadership is not just seeing the realities of what we are temporarily faced with, but seeing the possibilities and potential that can be realized by lifting up people's vision of what they can be.

That is just one snippet of that letter he wrote to his grandchildren.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### A LETTER TO MY GRANDCHILDREN

(by Jack Kemp)

Dear Kemp grandchildren—all 17 of you, spread out from the East Coast to the West Coast, and from Wheaton College in Illinois, to Wake Forest University in North Carolina:

My first thought last week upon learning that a 47-year-old African-American Democrat had won the presidency was, "Is this a great country or not?"

You may have expected your grandfather to be disappointed that his friend John McCain lost (and I was), but there's a difference between disappointment over a lost election and the historical perspective of a monumental event in the life of our nation.

Let me explain. First of all, the election was free, fair and transformational, in terms of our democracy and given the history of race relations in our nation.

What do I mean?

Just think, a little over 40 years ago, blacks in America had trouble even voting in our country, much less thinking about running for the highest office in the land.

A little over 40 years ago, in some parts of America, blacks couldn't eat, sleep or even get a drink of water using facilities available to everyone else in the public sphere.

We are celebrating, this year, the 40th anniversary of our Fair Housing Laws, which helped put an end to the blatant racism and prejudice against blacks in rental housing and homeownership opportunities. As an old professional football quarterback, in my days there were no black coaches, no black quarterbacks, and certainly no blacks in the front offices of football and other professional sports. For the record, there were great black quarterbacks and coaches—they just weren't given the opportunity to showcase their talent. And pro-football (and America) was the worse off for it.

I remember quarterbacking the old San Diego Chargers and playing for the AFL championship in Houston. My father sat on the 50-yard line, while my co-captain's father, who happened to be black, had to sit in a small, roped-off section of the end zone. Today, we can't imagine the NFL without the amazing contributions of blacks at every level of this great enterprise.

I could go on and on, but just imagine that in the face of all these indignities and deprivations, Dr. Martin Luther King could say 44 years ago, "I have an abiding faith in America and an audacious faith in mankind." He described his vision for America, even as he and his people were being denied their God-given human rights guaranteed under our Constitution.

You see, real leadership is not just seeing the realities of what we are temporarily

faced with, but seeing the possibilities and potential that can be realized by lifting up peoples' vision of what they can be.

When President-elect Obama quoted Abraham Lincoln on the night of his election, he was acknowledging the transcendent qualities of vision and leadership that are always present, but often overlooked and neglected by pettiness, partisanship and petulance. As president, I believe Barack Obama can help lift us out of a narrow view of America into the ultimate vision of an America where, if you're born to be a mezzo-soprano or a master carpenter, nothing stands in your way of realizing your God-given potential.

Both Obama in his Chicago speech, and McCain in his marvelous concession speech, rose to this historic occasion by celebrating the things that unite us irrespective of our political party, our race or our socio-economic background.

My advice for you all is to understand that unity for our nation doesn't require uniformity or unanimity; it does require putting the good of our people ahead of what's good for mere political or personal advantage.

The party of Lincoln, i.e., the GOP, needs to rethink and revisit its historic roots as a party of emancipation, liberation, civil rights and equality of opportunity for all. On the other hand, the party of Franklin Roosevelt, John Kennedy and now Obama must put forth an agenda that understands that getting America growing again will require both Keynesian and classical incentive-oriented (supply-side) economic ideas. But there's time for political and economic advice in a later column (or two).

Let me end with an equally great historical irony of this election. Next year, as Obama is sworn in as our 44th president, we will celebrate the 200th anniversary of Abraham Lincoln's birth. I'm serving, along with former Rep. Bill Gray of Pennsylvania, on the Abraham Lincoln Bicentennial Board to help raise funds for this historic occasion. President-elect Obama's honoring of Lincoln in many of his speeches reminds us of how vital it is to elevate these ideas and ideals to our nation's consciousness and inculcate his principles at a time of such great challenges and even greater opportunities.

In fact, we kick off the Lincoln bicentennial celebration on Wednesday, Nov. 19, in Gettysburg, Pa. The great filmmaker Ken Burns will speak at the Soldier's National Cemetery on the 145th anniversary of Lincoln's Gettysburg Address. On Thursday, Nov. 20, at Gettysburg College, we will have the first of 10 town hall forums, titled "Race, Freedom and Equality of Opportunity." I have the high honor of joining Rep. Jesse Jackson Jr., Professor Allen Guezlo and Norman Bristol-Colon on the panel, with Professor Charles Branham as the moderator.

President-elect Obama talks of Abraham Lincoln's view of our nation as an "unfinished work." Well, isn't that equally true of all of us? Therefore let all of us strive to help him be a successful president, so as to help make America an even greater nation.

Mr. NELSON of Florida. Mr. President, this is "A Letter to my Grandchildren" by Jack Kemp on November 12, 2008, just a few days after the election of Senator Obama as President of these United States.

#### CONGRESSIONAL GOLD MEDAL

Mr. NELSON of Florida. Mr. President, I wish to shift gears from that sad note to a celebratory note because